

REMARKS

In the final Office Action dated September 2, 2009, the Examiner withdrew the previous objections and rejections under 37 CFR § 1.75 and 35 U.S.C. § 101, but maintained the previous rejection of claims 1-20 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 7,107,338 to Nareddy in view of U.S. Publication No. 20020016771 to Carothers (claims 1-7, 11, and 13-19), alone or in combination with U.S. Publication No. 20040221311 to Dow et al. (claims 8-10, 12, and 20). Applicants appreciate the withdrawal of the objections and rejections from the previous Office Action, but must respectfully traverse the remaining obviousness rejections for the reasons set forth hereinbelow.

A. Claims 1-20 Are Not Obvious Over Nareddy, Carothers (and Dow) Which Fail To Make Obvious The Claimed Invention for Processing a “Subset” of Entries to Identify and Group the *Subset Entries* by Session

Each of claims 1-20 variously recite a method, article of manufacture, or system for grouping and processing entries using a memory window or ring buffer to select a “subset” of the entries, and then identifying entries in the subset that belong to a complete session.¹ While Applicants believe that the original claim language was adequately clear on this point, Applicants have amended claim 1 to clarify that, after retrieving a subset of log file entries from the memory, the each entry in the subset of log file entries retrieved from memory is processed to identify entries in the subset of log file entries that belong to a complete client session. Thus, each claim requires that a subset of all “log file entries” (claim 1), file system “records” (claim 8), “server request entries” (claim 11), or “network session data” (claim 18) be processed to identify and group the entries/records/data from the subset by session.

¹ Amended claim 1 states that, after retrieving a subset of log file entries from the memory, each entry in the subset of log file entries retrieved from memory is processed to identify entries in the subset of log file entries that belong to a complete client session. Similarly, claim 8 requires reading “a subset of all records in the file system” into a ring buffer, scanning “each record in the ring buffer” to identify a user session, allocating an index “to identify all records in the ring buffer that are associated with the identified user session,” and processing the index “to group all records in the ring buffer belonging to a complete user session.”). Likewise, claim 11 recites a “processing engine to process a subset of the plurality of server request entries to group the server request entries by session using the session identifier in each server request entry” and claim 18 recites a means for “reading a subset of the network session data,” “processing the subset of the network session data to group said network session data by session,” and “generating a first output file containing network session data grouped by session.”

In rejecting the claims over the cited art, the Examiner mischaracterizes Applicants' invention as being a method and system which selects a subset of records to identify complete session records:

The inventive concept attempts to improve on system and method provided for grouping and processing log file entries using a memory window to select a subset of the log file records for identifying complete session records. However, this is a conventional concept found in Nareddy's prior art.

Final Office Action, p. 9. The rejection analysis indicates that the claimed "subset" refers to the log entries identified by the "identify sessions routine" (Figure 3, component 314 and Figure 13) as belonging to a user session. *See, Final Office Action*, pp. 2-4.

While the Examiner may be correct that Nareddy's log entries belonging to a user session are a "subset," this is not what is recited and required by the claims. It thus appears that the Examiner has misapprehended Applicants' invention and/or misapplied the claims to the Nareddy disclosure. In the claims, a "subset" of records or entries is "read" (e.g., into a "ring buffer"), and then the records or entries in the "subset" are processed to identify and group the subset entries by session. Thus, a subset of records is identified, and then that subset of records is processed to group the subset records by session. Nothing comparable is disclosed by the cited art references. In particular, Nareddy is quite explicit that "all log entries" are processed by the Nareddy's "identify sessions routine," and there is no attempt made to separate out a "subset" of entries for processing by the identify sessions routine. *See, Nareddy's Figure 13 and col. 16, line 47-col. 17, line 3.* Nothing in Carothers or Dow overcomes this deficiency. Indeed, the cited art combination merely typifies conventional approaches for processing all of the log entries to extract session data, such as described and distinguished by Applicants in the Background of Invention section. *See, Application*, paragraph 14 ("For large log files that are larger than the amount of available random access memory ("RAM"), the grouping of log file entries by session can use a lot of computational resources. For example, conventional grouping techniques involve reading the log file, request-by-request, and sorting the requests into a new file, set of files, database, or index on the file system that is structured to make locating requests in the same session fast. For example, the log files could be imported into a table in a database where each line in the log file is imported as a single record in the database, and where one of the fields in the database record identifies the session the request belongs to. With this arrangement, standard database techniques can be used to sort the table by the session field and then read the

records out of the database in session field order. However, this technique requires creating an extra copy of the log file and also significant processing speed penalties in the time required for extracting data from the log files for storage in a database. ”).

In view of the failure to establish a *prima facie* case of obviousness over Nareddy and Carothers (alone or in combination with Dow) such as explained above, Applicants respectfully submit that the Examiner has incorrectly applied the legal requirements for establishing obviousness. To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. In re Royka, 490 F.2d 981, 180 USPQ 580 (CCPA 1974); In re Wilson, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970). This has not been done. At best, the cited combination of references discloses grouping transactions by transaction. There is no disclosure or suggestion in Nareddy and Carothers or Dow of using a session-based scheme for grouping and processing log file entries using a memory window to select a subset of the log file records, and then process the subset records to identify or group the subset records by session. Accordingly, Applicants respectfully request that the obviousness rejection of claims 1-20 be withdrawn and that the claims be allowed.

In an attempt to further clarify the foregoing aspects of the invention and advance prosecution here, Applicants have amended claim 1 to present the claims in better form for consideration on appeal by clarifying that the processing step is applied to “each entry in the subset of log file entries retrieved from memory” in order to identify entries in the subset of log file entries that belong to a complete client session. Accordingly, Applicants submit that the amendments are permitted under 35 CFR § 1.116(b)(2). However, if the amendments are not entered, Applicants would note that this was already clearly required by the recitation of “processing each entry in the memory to identify entries in the subset of log file entries that belong to a complete client session.”

CONCLUSION

In view of the amendments and remarks set forth herein, Applicants respectfully submit that all pending claims are in condition for allowance. Accordingly, Applicants request that the rejections of claims 1-20 be withdrawn and that a Notice of Allowance be issued. If there are any remaining issues that might be resolved through a telephonic interview, Applicants' undersigned representative would welcome an opportunity to discuss such issues with the Examiner.

CERTIFICATE OF TRANSMISSION

I hereby certify that on November 2, 2009, this correspondence is being transmitted via the U.S. Patent & Trademark Office's electronic filing system.

/Michael Rocco Cannatti/

Respectfully submitted,

/Michael Rocco Cannatti/

Michael Rocco Cannatti
Attorney for Applicants
Reg. No. 34,791